Sectt. H-27—45,000—19-10-38

Secret (1940) Department.

1145 SERIES.

G.U. No. 810

Dated 9.4.40

[Despatch Abstract.]

Mines — Loans — Manganese — Bellary [illegible]
Sandur Taluk — Kumsi Reserve Forest.
[illegible] Hyderabad Dakhan [illegible]
[illegible] [illegible] [illegible] rights
[illegible] 106.5V/8 — Working of.
Sanctioned

C.F. 31—17,006—9-2-37.

Development **DEPARTMENT.**

CURRENT No.

Received 21 FEB 1940 19 *Registered* 5108 II 19

22.2.40.

Subject.

Mining - Lease - Manganese (Bellary) - Hospet taluk Gunda reserve forest - Abdul Hye Sahib Bahadur, K.- Dead rent and royalty - Rs.6650-8-0 irrecoverable - Write off - Proposals

Reference D. No. 25/40-1.

Station Madras, *Dated the* 17-2-1940. 19 .

From R.A.Gopalaswami, Esq., I.C.S.,

Joint Secretary,

Board of Revenue.

Madras.

C.A.Henderson Esq., C.S.I., V.D., I.C.S.,

Commissioner of Land Rev. and Irrigation.

Read the following:- (2)

G.O. No. 716 Ms., Dev., dated 6th May 1936.

II.

Letter from A.D.Crombie Esq., C.I.E.,I.C.S., Collector of Bellary, Roc. No. 5372/39-A-1, dated 28-12-1939.-

Rev.- B.P. Mis. No. 2633, dated 15-11-1926.

B.P. Mis. No. 244, dated 27-1-1933.

B.P. Mis. No. 1674, dated 12-5-1936.

Khan Sahib K.Abdul Hye Sahib was granted a mining lease for 30 years from 20-1-1927 in Gunda reserve forest over an extent of 1502-16 acres. On account of trade depression the rents and royalties that fell due from time to time were

postponed till trade conditions revived. Finally the lessee being unable to pay the rent and royalty, surrendered the lease of the mine unconditionally together with the stock of the ore remaining on the premises. The lease was cancelled, and the ore forfeited to Government. There was about 2000 tons of ore for which V.J. Rodrigues and Sons of Mysore, offered Rs.1875. This offer was accepted by the District Forest Officer. They failed to pay the amount which was ultimately collected from them on 31-10-1939 after giving a suit notice.

2. As reported by the District Forest Officer, Anantapur, a sum of Rs.9025-8-0 was due from Mr. Hye. After adjusting the security deposit of Rs.500 and the sale proceeds of the ore Rs.1875/-, there is still a balance of Rs.6650-8-0 to be collected from the lessee.

3. Under clause XIII of rule 50 of the mining rules, the manganese ore on the premises of the mine was already forfeited and sold. As it was reported that Khan Sahib Abdul Hye Sahib has no property of any kind to his credit the renewal of his certificate of approval for the year 1939 was rejected. It is further reported that even the house he now resides in belongs to his divided brother. He has no property whatsoever to be proceeded against for recovering the amount due from him. The amount has therefore to be treated as irrecoverable and written off the accounts.

I enclose a copy of the letter No. 1-411 dated 28th November 1939 received from the Accountant-General, Madras, and request that the Government's orders may be obtained to treat the balance as irrecoverable for being written off the accounts.

Enclosure.

Copy of letter No. 1-411, dated 28th November 1939 from the

the Accountant-General, Madras to the Collector of Bellary.

Mining - Hospet Division - Payment of dues from Khan Sahib Abdul Hye.

I have the honour to invite a reference to your letter D.Dis. C.No. 351/39, dated 24th April 1939, to the District Forest Officer, Anantapur, on the subject indicated above, and to state that the amount due from K J.Rodrigues and Sons has since been recovered. Necessary action may kindly be taken at an early date for the write off by Government of the net amount stated to be irrecoverable from Khan Sahib Abdul Hye.

REFERENCE:

Submitted to the Government.

2. In the circumstances stated, the Board requests that the Government may be pleased to sanction the Collector's proposal to write off the balance of Rs.6650/8/0 yet due from the lessee Khan Sahib K.Abdul Hye Sahib Bahadur as irrecoverable.

for Joint Secretary.

To

The Secretary to the Government,

Development Department.

S.S/14- 8-40.

125-8-0
375-00
6525-8-0

1875
STV
2375

Dev. Dept.

Sub: Mining- Lease- Manganese- Bellary Dt- Hospet taluk- Gunda Reserve Forest- Abdul Hye Sahib Bahadur K- Dead rent and royalty- Rs 6650/8- irrecoverable- writing off.

Ref: From the Board of Revenue No. J-25/40-1 d 13. 2. 40.

U.S.

'A', p. 1 of E.O. 994 Dw. (X) 25.7.32

Khan Sahib K. Abdul Hye Sahib Bahadur of Bellary was the lessee of the Gunda Manganese mine (covering an area of 150 3/4 acres) in Hospet taluk, Bellary Dt., ~~covering an area of 150 3/4 acres.~~ The lease was granted to him by the Board of Revenue in 1927, for a period of 30 years.

(X) m p 1 of F.

(X) m p 2 of Roa (X)

In 1930, the lessee requested the remission of dead rent due to Govt. on the plea that on account of ~~the world~~ economic depression, the mining industry was in a most unsatisfactory condition. On the recommendation of the Collector of Bellary, the Board of Revenue, in its proceedings No. Mis 570 d 16. 2. 31, suspended the lease for a period of two years.

Typ at p 32 of E.O. 42 Dw. (Y) 10.1.33

pp 1: A 01 (X) and pp 1-2 of (Y)

In 1932, Mr Hye represented to Govt that the ~~he~~ dead rent due to Govt ~~should~~ may be remitted until such time as the market conditions improved. The Govt. were disposed to think that

K m p 17 of Roa (Y) a postponement of dead rent, coupled if

necessary, with a charge of interest on the postponed rent, might appropriately be granted. But, since there was no provision in the mining rules for the remission or suspension of dead rent in any circumstances, and as the authority to order such a concession was then the Govt of India, ~~India~~ they were addressed in the matter. The Govt. of India sanctioned the postponement of the collection of the dead rent till such time as the Govt of Madras might select, interest being charged at a suitable rate during the period. Orders were accordingly passed in G.O. No. 42 Dev. d 10. 1. 1933.

~~The Collector of Bellary now reports that the Board of Revenue got [illegible]~~

In 1936, the Board of Revenue reported that the lessee had applied for the remission of the arrears of rent due from him, as there was no ~~prospect~~ prospect of improvement in the trade conditions, and that he was prepared to surrender the lease of the mine unconditionally, together with the stock of ore remaining on the premises. Under clause (xiii) of rule 50 of the Mining Rules, the Govt. ordered the cancellation of the mining lease and directed the Board of Revenue to take possession of the premises and to dispose of the stock of ore and credit the sale proceeds towards the dead rent due to Govt.

2. The Collector of Bellary now reports

that the stock of ore, amounting to about 2000 tons was sold to Messrs V. T. Rodrigues and Sons of Mysore for Rs 1875/-. This amount and the security deposit of Rs 500/- paid by the lessee, have been adjusted towards the sum of Rs 9025-8-0 due and there is still a balance of Rs 6650-8-0 to be collected from the lessee. The Collector states that it is not possible to recover this amount, and the Board of Revenue recommends that it may be written off the accounts.

3. "Regulation of mines and mineral development" are now a Provincial subject to the extent to which such regulation and development under Federal control is not declared by Federal law to be expedient in the public interest. The Provincial Govt are therefore competent to write off the amount said to be irrecoverable in the present case.

4. It is for orders whether the Boards' recommendation will be accepted. A draft order is submitted. Finance may see for remarks or acceptance.

RR
10/3/40

S.

10/3

FINANCE DEPT.
27 MAR 1940
ASSISTANT SECRETARY TO GOVERNMENT

Dev no. 5108 II/40-1
27.3.40

12549

Fin (Accts) Dept

In the circumstances explained, this Dept. may agree to the write off of a sum of Rs 6,650-8-0 as irrecoverable. para 2 on p 3 C F
the draft order may be accepted.

~~[illegible]~~

~~[illegible]~~.

31/3/40

2/4/40

3/4

Dev Dept

Dev C

Fin no 12549 Acts 39
2/4/40

For orders whether the draft may issue.

4/4

6/4/40

S

ASSISTANT SECRETARY TO GOVERNMENT
4 - APR 1940
DEVELOPMENT DEPARTMENT

3550

49/9/4

G.F. 16.

Dev. Depn.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined	9/4	
When signed		
When despatched.		

SUBJECT:— Mining Lease. Manganese - Bellary Dt - Hospet taluk - Gunda Reserve Forest - Abdul Hye Sahib Bahadur K - Dead rent and royalty - Rs 6650/8 irrecoverable existing off - Sanctioned ~~order passed~~.

READ AGAIN No. 80 (No) 716/Dev., dated 6 Sep 1936. (2)

" " " 19.

READ ALSO:—

No. 5108 4/40 From the Board of Revenue, No. 9-25/40, dated 13-2-1940. P.F.

" " " 19.

" " " 19.

Order ~~Resolution~~ Ms. No. 810, dated 9 — 4 — 1940.

p 3 CF

The Govt. direct that the sum of Rs 6650/8/0 (Rupees six thousand six hundred and fifty and annas eight ~~only~~) yet due from Khan ~~Bahadur~~ Sahib K. Abdul Hy Sahib Bahadur in respect of the mining lease ~~for manganese~~ granted to him in Gunda reserve forest in the Hospet taluk of the Bellary Dt, be written off the accounts as irrecoverable.

Dsd 9/4

To the Board of Rev.

A.S. to Govt. Fin.

Finance Dept.

Das 4.10.3.40

Ben 1-3-40

RR 10/3

11/4